

Attorney Docket No.: GTI-1130-CT2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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APR 28 2009

**Applicant:** Edward Nolan, et al.

**Title** Electrical Field Therapy with Reduced Histopathological Change in Muscle

**Serial No.:** 10/756,946

**Docket No.:** GTI-1130-CT2

**Filed:** January 13, 2004

**Examiner:** Sharon E. Kennedy

**Group Art Unit:** 1615

**RENEWED PETITION UNDER 37 CFR 1.137(b)**

Mail Stop: PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Renewed Petition is submitted in response to the Office's decision dated January 6, 2009, in response to Applicants' petition filed on November 25, 2008. The Office dismissed the November 25, 2008, petition because the statement inadvertently lacked a signature (item 3).

In a recent telephone conversation with Examiner JoAnne Burke, she kindly suggested submitting a newly dated renewed petition substantively the same as the petition filed on November 25, 2008, but including the inadvertently omitted signature.

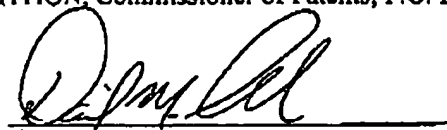
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**CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8:**

The undersigned hereby certifies that this correspondence is being transmitted to facsimile no.: (571) 273-8300 at Mail Stop: PETITION, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Daniel M. Chambers  
Name

April 28, 2009  
Date

  
Signature

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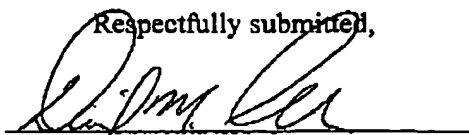
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For the record, Applicants note that their November 25, 2008, petition followed the Office's October 20, 2008, decision in response to Applicants' petition filed on February 27, 2008, to revive the application and pay the issue and publication fees, which were due on November 1, 2006. While the issue and publication fees were paid at the applicable "large entity" rate in connection with their February 27, 2008, petition, the revival fee was inadvertently paid at the "small entity" rate, resulting in an underpayment of \$850.00. The payment of the additional \$850.00 was made in connection with Applicants' November 25, 2008, petition, which payment Applicants understand the Office has accepted and applied in full.

Applicants respectfully submit that the entire delay in restoring this case to "allowed" status, from the due date for the reply until the filing of a grantable petition, has been unintentional. Accordingly, pursuant to 37 CFR 1.137(b), and since the required response was submitted previously, the petition and other fees have already been paid, and since no terminal disclaimer is required pursuant to 37 CFR 1.137(d) (as this case is a non-provisional utility application filed after June 8, 1995), Applicants respectfully request that the Office promptly grant this petition and process this case for issuance.

No further documentation is believed to be required. Of course, should any issue or question remain, the Office is invited to call the undersigned attorney for prompt resolution.

Respectfully submitted,



Date: April 28, 2009  
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